IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS LUFKIN DIVISION

NETWORK APPLIANCE, INC. Plaintiff, VS.)
) CIVIL ACTION NO. 9:07-cv-206 RHC
)
) Jury Trial Demanded
SUN MICROSYSTEMS, INC.))
Defendant,)

<u>ORDER</u>

CAME ON FOR CONSIDERATION the Agreed Motion to Transfer filed by Network Appliance, Inc., Plaintiff, and Sun Microsystems, Inc., Defendant, in the above-captioned case. After consideration of the same, it is the opinion of the Court that the Agreed Motion to Transfer should be GRANTED.

IT IS, THEREFORE, hereby ORDERED that the above captioned case is hereby TRANSFERRED to United States Magistrate-Judge Elizabeth D. Laporte of the United States District Court for the Northern District of California.

So ORDERED and SIGNED this 26 day of November, 2007.

Ron Clark, United States District Judge

Rm Clark